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Attorneys for Defendant/Cross-Claim  
Plaintiff

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

<b>SAM HARGROVE, ANDRE HALL, and MARCO EUSEBIO, individually and on behalf of all others similarly situated,</b>  <b>Plaintiffs,</b>  <b>vs.</b>  <b>SLEEPY’S, LLC,</b>  <b>Defendant.</b>	<b>Civil Action No. 10-01138-PGS- LHG</b>    <b>(HONORABLE PETER G. SHERIDAN)</b>   <b>FILED VIA ECF</b>
<b>SLEEPY’S, LLC,</b>  <b>Cross-Claim Plaintiff,</b>  <b>vs.</b>  <b>I STEALTH, LLC, EUSEBIO’S TRUCKING CORP., and CURVA TRUCKING, LLC,</b>  <b>Cross-Claim Defendants.</b>	

**NOTICE OF APPEAL**

Notice is hereby given that Defendant/Cross-Claim Plaintiff Sleepy's, LLC ("Sleepy's") in the above-named case hereby appeals to the United States District Court for the Third Circuit from an Order which denied Sleepy's Motion for Attorneys' Fees and Sleepy's Motion for Default Judgment and closed this case, which was entered on the 2<sup>nd</sup> day of May, 2012.

Respectfully submitted,

/s Elizabeth Tempio Clement

Kimberly J. Gost

Theo E.M. Gould

Matthew J. Hank

Elizabeth Tempio Clement

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Date: May 29, 2012

Attorneys for Defendant/Cross-Claim  
Plaintiff Sleepy's, LLC

**CERTIFICATE OF SERVICE**

I, Elizabeth Tempio Clement, hereby certify that on this 29th day of May, 2012, I caused the foregoing **Notice of Appeal** to be served via the electronic case filing system upon the following counsel of record:

Anthony L. Marchetti  
Marchetti Law, P.C.  
900 N. Kings Highway, Suite 306  
Cherry Hill, NJ 08034

Attorney for Plaintiffs Sam Hargrove, Andre Hall, and Marco Eusebio

Additionally, a true and correct copy of the foregoing **Notice of Appeal** was sent, via U.S. Mail first class postage prepaid, on this 29th day of May, 2012 to the addresses listed below:

I Stealth, LLC  
c/o Samuel Hargrove  
20 Granby Lane  
Willingboro, New Jersey 08046

Eusebio's Trucking Corp.  
c/o Marco Eusebio  
15 Lincoln Street, Apt. 1  
Fairview, NJ 07022-2143

Curva Trucking, LLC  
c/o Marco Eusebio  
15 Lincoln Street, Apt. 1  
Fairview, NJ 07022-2143

Cross-Claim Defendants

/s Elizabeth Tempio Clement  
Elizabeth Tempio Clement